



BOARD OF PSYCHOLOGY
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BOARD OF PSYCHOLOGY Quarterly Board Meeting

Open Session Minutes

**Embassy Suites LAX-South
1440 East Imperial Avenue
El Segundo, CA 90245**

March 8, 2002

The open session meeting was called to order by the President, Martin Greenberg, Ph.D. at 8:05 a.m. A quorum was present and due notice had been sent to all interested parties.

Present were:

Martin Greenberg, Ph.D., President
Emil Rodolfa, Ph.D., Vice President
Pamela Harmell, Ph.D.
Lisa Kalustian
Marilyn Palarea
Mary Ellen Early
William Tan

Others Present:

Thomas O'Connor, Executive Officer
Laura Freedman, Legal Counsel
Jeffrey Thomas, Assistant Executive Officer
Kathy Bradbury, Administrative Services Coordinator
Kathi Burns, Enforcement Coordinator
Karen Johnson, Licensing and Examination Coordinator

Agenda Item #1 – Committee Meetings

The Credentials Committee, Examination Committee, Enforcement Committee, Legislation Committee, and Consumer Education Committee met to discuss and formulate recommendations to the Board.

Agenda Item #2 – TEPPERMAN, Jerome, Ph.D. – Hearing on Petition for Termination of Probation

Administrative Law Judge Samuel D. Reyes presided. Deputy Attorney General Paul Ahment was present and represented the people. Dr. Tepperman was present and represented himself.

Agenda Item #3 - LOVERN, John, Ph.D. - Hearing on Petition for Termination of Probation

Administrative Law Judge Samuel D. Reyes presided. Deputy Attorney General Karen Chappelle was present and represented the people. Dr. Lovern was present and represented himself.

Agenda Item #4 - THIES, Todd, Ph.D. - Hearing on Petition for Termination of Probation

Administrative Law Judge Samuel D. Reyes presided. Deputy Attorney General Taylor Schneider was present and represented the people. Dr. Thies was present and represented himself.

Agenda Item #5 - HALON, Robert, Ph.D. - Hearing on Petition for Termination of Probation

Administrative Law Judge Samuel D. Reyes presided. Deputy Attorney General Karen Chappelle was present and represented the people. Dr. Halon was present and was represented by attorney Gary Wittenberg.

The board adjourned into closed session at 10:15 a.m. to 10:25 a.m. and again at 3:00 p.m.

Saturday, March 9, 2002

The open session meeting was called to order by the President, Martin Greenberg, Ph.D. at 8:30 a.m. A quorum was present and due notice had been sent to all interested parties.

Present were:

Martin Greenberg, Ph.D., President
Emil Rodolfa, Ph.D., Vice President
Pamela Harmell, Ph.D.
Lisa Kalustian
Marilyn Palarea
Mary Ellen Early
William Tan

Others Present:

Thomas O'Connor, Executive Officer
Laura Freedman, Legal Counsel
Jeffrey Thomas, Assistant Executive Officer
Kathy Bradbury, Administrative Services Coordinator
Kathi Burns, Enforcement Coordinator
Karen Johnson, Licensing and Examination Coordinator

Agenda Item #12 - Approval of November 2, 2001 Open Session Minutes

M(Rodolfa)/S(Kalustian)/C to approve the November 2, 2001 open session minutes with minor corrections.

Vote: 7-0

Agenda Item #13 - President's Report – Dr. Greenberg

a. Introduction of New Board Member, Mr. William Tan

Dr. Greenberg introduced the new public board member, Mr. William Tan. Mr. Tan is an attorney and a former board president of the Board of Pharmacy. Mr. Tan was appointed February 1, 2002 by the Speaker of the Assembly.

Dr. Greenberg acknowledged Mr. Tan's predecessor, Mary McMillan, and the significant contributions she made to the board. She will be missed.

b. Policy-Exception from Continuing Education Requirements

Dr. Greenberg reported that pursuant to Business and Professions Code Section 2915(3)(e) the Board may establish a policy for an exception to the continuing education requirements. The proposed policy would allow a psychologist who does not provide direct delivery of services to patients/clients to obtain continuing education from providers who are not approved for providing mandatory continuing education for psychologists. This policy is being established to ensure that psychologists receive continuing education in the areas in which they practice which is a mandate of Section 2915(h). Dr. Greenberg indicated that this policy may result in a future regulation change once the Board has seen its effects.

After reviewing the policy, the Board agreed to strike the phrase “upon request” from the draft policy.

It was M(Tan)/S(Harmell)/C to approve the draft policy with the phrase “upon request” stricken from the document.

Vote: 7 - 0

c. Presentation by National Register-Dr. Judy Hall

Dr. Judy Hall, Executive Officer, from the National Register presented information regarding the services that the National Register provides to licensed psychologists and state licensing boards. She informed the Board that applicants must meet strict requirements in order to receive certification from the National Register including documentation of education and training as well as having no disciplinary action.

Dr. Hall encouraged the Board to consider using the National Register as a verification source similar to the CPQ issued by ASPPB since each member must qualify by proving their education and training in addition to having no history of discipline. There are approximately 14,000 members of the National Register and there is no charge to licensing boards who use the services.

Dr. Rodolfa, presided over the meeting for this item due to Dr. Greenberg recusing himself because of his position on the Board of Directors of ASPPB, thanked Dr. Hall for her presentation and asked that the Credentials Committee take the matter under review for action at the May Board Meeting.

d. ASPPB Update

Dr. Greenberg stated that he, Dr. Rodolfa and Mr. O'Connor were present at the last ASPPB meeting. Many states are looking at strengthening supervision regulations as is the California Board.

e. Other President's Informational Items

None.

Agenda Item #14 - Executive Officer's Report – Mr. O'Connor

a. Staff Update – Hiring Freeze

Mr. O'Connor reported that, so far, the general hiring freeze imposed upon the State has

not affected the Board's staff. The Board is fully staffed and has not experienced a vacancy in over a year.

b. Budget Update - Proposed Fee Reduction

Mr. O'Connor began by briefly explaining the budget process and the concern that by the end of fiscal year 2004-2005 the Board of Psychology will have a budget reserve of approximately 16 months. It is recommended that state boards maintain a prudent 3-month reserve. Therefore, it is proposed that the Board of Psychology decrease its initial license fee and biennial renewal fee for psychologists from \$400 to \$275. With the reduced fee, it is estimated that the reserve would be reduced to 3.5 months reserve by 2009-2010. At this rate of reduction, the Board would not need to consider a fee increase until fiscal year 2009, if at all. Mr. O'Connor suggested the board approve a proposed regulation to reduce fees for psychologists from \$400 to \$275 with an effective date of January 1, 2003.

It was M(Rodolfa)/S(Palarea)/C to empower Board staff to begin the regulatory process to reduce initial license fees and biennial renewal fees to \$275.00.

Vote: 7-0

c. Strategic Plan Progress Update – Enforcement

Mr. O'Connor explained that he would like to bring a different segment of the Strategic Plan to every board meeting for a progress report and that the segment for this meeting is the enforcement section. Mr. O'Connor deferred to Ms. Burns, the Board's enforcement coordinator. Ms. Burns stated the following: 1) a Budget Change Proposal (BCP) will be submitted in September to transfer complaint handling from the Medical Board of California (MBC) to the board; 2) a survey was being drafted for all consumers who file complaints with the board and that this survey would require board member approval; 3) an exit survey was also being drafted for the training in April and that Dr. Greenberg and Mr. O'Connor are assisting with the format; and 4) that every effort would be made to implement procedures in line with the DCA's policy on complaint disclosure when it becomes final.

d. On-line License Renewal and Application

Mr. O'Connor reported that licensees can now apply for licensure online effective December 2001. He also stated that the process is working quite well and that so far there have been very few problems. Mr. O'Connor showed the board members printed copies of what the licensees see when viewing the online licensing website.

e. DCA Applicant Tracking System Upgrade

Ms. Johnson, the licensing and examination coordinator, explained that the Applicant Tracking System (ATS) is the board's cashiering database in addition to tracking the progress of applications and that in June she will be assisting the department in the testing of a new system. The ATS system will be down for a week to migrate to the new system when testing is completed.

f. Other Executive Officer's Informational Items

Mr. O'Connor stated that he would accompany Mr. Tan and any other board member that

would like to attend the board member orientation.

Agenda Item #15 - Legal Counsel's Report – Ms. Freedman

a. AG Request for Information on Prescription Privileges

Ms. Freedman reported on feedback she provided to the Office of the Attorney General in response to a request for opinion from Assemblymember Havice. The issues raised concerned existing law related to prescribing.

b. Other Legal Counsel Informational Items

Ms. Freedman explained the recent changes to the Open Meeting Act. The primary change affecting the Board is when (and if) the Board holds a teleconference meeting, the public must have access at each location where a Board member is participating.

Agenda Item #16 - Regulations Update – Ms. Bradbury

a. Current Rulemaking Files in Process

Ms. Bradbury reported on the status of the emergency regulation to replace the oral examination. She stated that the emergency regulation was approved and became effective January 1, 2002. The approved certificate of compliance rulemaking file was submitted and was also approved thus completing the rulemaking process for the replacement of the oral examination.

b. Other Regulation Update Informational Items

None.

Agenda Item # 17 - Continuing Education Update – Mr. Thomas

a. Continuing Education Statistics

Mr. Thomas reported that there was a 13% noncompliance rate for the most recent month reported by the accrediting agency, which was February 2002.

b. Other Continuing Education Update Informational Items

None.

Agenda Item #18 - Regulation Hearing: Supervision Training Requirement (10:00 AM)

Dr. Greenberg conducted the regulation hearing on the changes regarding supervision training requirements. Amended language was distributed to Board members and Mr. O'Connor explained the newly proposed language.

It was M/Harmell/S(Tan)/C to adopt the proposed regulation changes as amended.

Vote: 7-0

Dr. Greenberg delegated to staff the authority to prepare the new modified language and 15-day notice.

It was M/(Palarea)/S(Kalustian)/C to delegate authority to staff to make language changes and the 15-day notice.

Agenda Item #19 - Credentials Committee Report – Dr. Harmell

a. Jennifer Lento, PhD : Plan for supervised hours in applied psychological research

M(Credentials Committee)/C to approve Dr. Lento's request to earn hours of supervised professional experience in the area of applied psychological research.

b. Jeff Hebb: Accreditation Status of Lakehead University, Ontario, Canada

The Credentials Committee instructed staff to obtain additional information regarding the accreditation of Lakehead University.

c. Darian L. Manke, PhD: Plan for supervised hours in research

The Board is requesting Dr. Manke provide additional information about her research duties at Pacific Graduate School of Psychology.

d. Robert Whittemore, PhD: Doctorate degree in Education from Arizona State University

M(Credentials Committee)/C to approve Dr. Whittemore's doctorate degree in Education from Arizona State University.

e. Arbella Odishoo, PsyD: Waiver of the required coursework in spousal or partner abuse assessment, detection and intervention

M(Credentials Committee)/C to grant Dr. Odishoo's request to waive the coursework in spousal or partner abuse assessment, detection and intervention provided she submit additional documentation stating that her internship training in domestic violence was equivalent to two classroom hours in length.

f. Richard Sinacola, PhD: Request for approval of equivalent degree

M(Credentials Committee)/C to approve Dr. Sinacola's doctorate degree as equivalent.

g. William Reese, PhD: Request for approval of equivalent degree

M(Credentials Committee)/C to approve Dr. Reese's doctorate degree as equivalent.

h. Nancy J. Heacox, PhD: Request for waiver of the required coursework in child abuse detection and treatment, and detection and treatment of alcohol and other substance dependency

M(Credentials Committee)/C to deny Dr. Heacox's request for waiver of coursework in child abuse detection and treatment, and detection and treatment of alcohol and other substance dependency.

i. Catherine A Williams, PhD: Plan for supervised hours in research

M(Credentials Committee)/C to approve Dr. Williams' request to earn hours of supervised professional experience in the area of psychological research.

j. Other Credentials Informational Items

Gary Hannon, PhD: Request for extension of the 30 consecutive month time limit to accrue post-doctoral supervised experience

M(Credentials Committee)/C to grant Dr. Hannon's request for a three month extension to the 30-month limit due to a documented disability under the Americans with Disabilities Act.

Irene Kim, PhD: Plan for supervised hours in applied psychological research and alternative supervision pursuant to regulation section 1387.3(a) & (b)

M(Credentials Committee)/C to approve Dr. Kim's request to earn hours of supervised professional experience in the area of applied psychological research and her plan for alternative supervision.

Lyssa Menard, PhD: Plan for supervised hours in applied psychological research pursuant to regulation section 1387.3(a)

M(Credentials Committee)/C to approve Dr. Menard's request to earn hours of supervised professional experience in the area of applied psychological research.

Lisa Fraidin, PhD: Plan for supervised hours in applied psychological pursuant to regulation section 1387.3(a)

M(Credentials Committee)/C to approve Dr. Fraidin's request to earn hours of supervised professional experience in the area of applied psychological research.

Guadalupe Gonzalez, PhD and Beth Glenn, PhD: Plan for supervised hours in applied psychological research and alternative supervision pursuant to regulation section 1387.3(a) & (b).

M(Credentials Committee)/C to approve both Dr. Gonzalez and Dr. Glenn's plan to earn hours of supervised professional experience in the area of applied psychological research and for alternative supervision while they are working at UCLA School of Public Health and the Jonsson Comprehensive Cancer Center.

Elaine German, PhD: Foreign Degree Evaluation

M(Credentials Committee)/C to approve Dr. German's foreign degree as equivalent.

The vote: 7-0 on all credentials items.

Agenda Item #20 - Examination Committee Report – Dr. Rodolfa

a. ASPPB Memo – RE: EPPP Score Reports

ASPPB reports that now that the EPPP examination is computerized, fewer people are taking it.

b. Computer Administered Licensing Examinations

The pass rate statistics were discussed for the computer administered version of the EPPP since its computerization September 1, 2001. 336 applicants have taken the EPPP and of the 336 candidates, 256 have passed (76%) and 80 failed (24%).

c. Lynda Honour, PhD: Request for Waiver of the EPPP

The board determined that Dr. Honour does not meet the requirements for waiver of the EPPP, therefore, the request was denied.

d. Other Examination Informational Items

Robert Rosebaum: Request for reasonable accommodations for the EPPP

The Committee moved to approve extended time to time and a half for Dr. Rosebaum when he takes the EPPP.

Agenda Item #21 - Enforcement Committee Report

a. DCA Complaint Disclosure Policy Discussion

Mr. O'Connor explained the DCA's complaint policy and stated that at this time the Board of Psychology as well as the MBC disclose information upon the filing of an Accusation. There has been discussion during the disclosure policy hearings that disclosure should be before the filing of an Accusation: at the stage it is referred to the Attorney General's Office. Mr. O'Connor indicated that he continues to monitor the progress of the Department's complaint disclosure policy. Additionally, he reported that he spoke with Assistant Attorney General Carlos Ramirez regarding the disclosure of complaint information and confirmed that at this point, it is their recommendation to continue disclosing at the point when an Accusation is filed.

b. Enforcement Statistics

Ms. Burns provided the Board with enforcement statistics.

c. Expert Reviewer Nominees

Ms. Burns reported that no expert applicants were approved during this meeting.

d. Disciplinary Guidelines Update/Review

Ms. Burns explained that it is time to update the Disciplinary Guidelines and needed to know if the Board had any changes to be made and if they agreed with the proposed changes. Dr. Greenberg suggested that this be discussed at the May Board meeting after everyone has had a chance to review it thoroughly.

e. Brown vs. Board of Psychology – Third Appellate District Court Decision

Ms. Burns reported that this item was informational only. In this case, the Court of Appeals upheld the ruling that a psychologist can be disciplined for sexual behavior with a student.

f. 2002 Expert Training

Ms. Burns reported that the Board's Annual Expert Reviewer training will be held on Friday, April 5, 2002 at the CPA's convention in Pasadena.

g. Other Enforcement Informational Items

None.

Agenda Item #22 - Legislation Committee Report – Ms. Early

a. AB 269 (Correa)

Ms. Early reported that AB 269 would establish consumer protection as the highest priority of all licensing boards. The BOP is watching this bill.

b. SB 557 (Figueroa)

Ms. Early reported that this bill would prohibit state agencies from charging a convenience fee for using the Internet for any state business. The BOP is watching this bill.

c. SB 564 (Speier)

Ms. Early reported that this bill would require an applicant for licensure as a psychologist; marriage, family and child counselor; or social worker who began graduate study on or after January 1, 2004, to complete a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies. The bill would also require a person licensed in these professions who began graduate study prior to January 1, 2004, to take a continuing education course in spousal or partner abuse assessment, detection, and intervention strategies. The bill would specify that this continuing education provision becomes operative on January 1, 2004. The CPA opposes this bill as it now exists. The Board will continue to watch.

d. Recently Enacted Legislation

1. Foreign Degrees (SB 724)

This bill would allow an applicant, trained in an educational institution outside the United States or Canada, and who possesses a foreign doctorate degree in psychology, to provide the board a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES).

2. Accrued Renewal Fees (349)

This bill would require payment of all accrued and unpaid licensure renewal fees in order for an individual to renew his or her license.

e. Other Legislation Informational Items

Ms. Early reported that AB 2025 would extend the Sunset Review for the board from 2006 to 2007 if enacted. Also, AB 2316 would provide that a psychologist who is directly responsible

for a patient's treatment be allowed to make determinations; currently only pertains to psychiatrists. This bill is sponsored by the CPA.

Agenda Item #23 - Consumer Education Committee Report – Ms. Kalustian

a. BOP Update 9

Mr. Thomas reported that the BOP Update 9 will be printed and mailed out very shortly.

b. Website Update

Mr. Thomas reported the website hits continue to increase but the online verification is very slow, due in part to the high volume of inquiries.

c. Other Consumer Education Informational Items

No other consumer education informational items.

Agenda Item #24 - Public Comment

None.

It was M(Greenberg)/S(Harmell)/C to adjourn the open session meeting.

Vote: 7-0

The open session meeting adjourned at 11:10 a.m.

Emil Rodolfa, Ph.D.
President

Date